IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION NO : 24851 of 2004

Between:

S. Rami Reddy, S/o Sesha Reddy,
Quality Control Division, I & CAD Department, Kadapa, R/o Kadapa.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, rep. by its Principal Secretary,
Irrigation and Command Area Development Department, Secretariat, . .
Hyderabad.
2 The Engineer-in-Chief, Irrigation & Command Area Development . . .
Department, Errummanzil, Hyderabad.
3 The A.P. Public Service Commission, Andhra Pradesh, Hyderabad.
4 S. Shiva Sankaraiah,
O/o The Chief Engineer, Major Irrigation, Errummanzil, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ order or direction particularly one in the nature of writ of certiorari after calling for the records relating to the Judgment in O.A.No. 6752 of 2004 dated 15-12-2004 on the file of the Hon'ble A.P. Administrative Tribunal, Hyderabad and quash the same and consequently declare that the petitioner is entitled to be considered for promotion over and above the un-official respondent and similarly situated persons ie., whose services have been regularised by virtue of G.O.Ms.No. 193 GA (Ser.A) Department, dt. 14-3-1990 and pass such other order or orders

Counsel for the Petitioner:MR.M.PANDURANGA RAO

Counsel for the Respondent No.1 and 2: GP FOR SERVICES I

Counsel for the Respondent NO.3: Mr. M.Vijay Kumar

The Court made the following :

ORDER: (Per the Hon'ble Sri Justice G.Bikshapathy)

This writ petition is filed challenging the order dated 15-12-2004 in O.A.No.6752 of 2004 on the file of the A.P.Administrative Tribunal, Hyderabad.

2. The petitioner is seeking promotion to the post of Deputy Executive Engineer or incharge to the post of Deputy Executive Engineer, inasmuch as the unofficial respondents who were appointed, otherwise, than APPSC are holding the post.

3. The grievance of the petitioner is that he was regularly appointed by APPSC and that he should rank senior to the unofficial respondents even in respect of in charge promotions. He should be given in charge post. On account of various litigations the seniority list has not been finalised.

4. It is stated that the Hon'ble Supreme Court is seized the matter and the seniority list will be prepared in due course of time. Therefore, the learned counsel submits that appropriate orders may be passed in this regard.

5. Keeping in view of the facts and circumstances of the case, we are inclined to dispose of the Writ Petition with the following direction;

i. The Government may finalise the seniority list in the cadre of Assistant Executive Engineer within a period of four months from the date of receipt of a copy of this order and thereafter review the incharge promotions in accordance with the finalized seniority list. No order as to costs.

G.Bikshapathy, J.

P.S.Narayana,J.

13th April, 2005.

KM

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary to Government,
Irrigation and Command Area Development Department, Secretariat, . .
Hyderabad.
2 The Engineer-in-Chief, Irrigation & Command Area Development . . .
Department, Errummanzil, Hyderabad.
3 The A.P. Public Service Commission, Andhra Pradesh, Hyderabad.
4 The Chief Engineer, Major Irrigation, Errummanzil, Hyderabad.

5. 2 CCs to G.P. for Services I, High Court Buildings, Hyderabad (OUT)

6 . CD copies

7. The Registrar, A.P. Administrative Tribunal, Hyderabad.

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and

THE HON'BLE MR JUSTICE P.S.NARAYANA

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13th April, 2005.